

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

William Stokes
Brian Jones,

Complainants,

vs.

Pacific Gas and Electric Company,

Defendant.

Case 02-04-008
(Filed April 10, 2002)

**ADMINISTRATIVE LAW JUDGE'S RULING
RESCHEDULING PREHEARING CONFERENCE
FOR SEPTEMBER 20, 2002, IN SACRAMENTO CALIFORNIA**

Summary

This ruling schedules a Prehearing Conference (PHC) for September 20, 2002, at 1:30 p.m., at the Department of Development Services, 1600 9th Street, Room 332, Sacramento, California 95814. Parties are to file a PHC statement by September 13, 2002.

Background

On April 10, 2002, William Stokes and Brian Jones (Stokes/Jones) filed the above-captioned Complaint against Pacific Gas and Electric Company (PG&E) alleging that PG&E is planning to install and erect poles and electric lines that will impact on their views and present traffic problems and other hazards to the

neighborhood. Stokes/Jones do not allege that PG&E's planned activities violate any law or of any order or rule of the Commission.

On May 22, 2002, PG&E filed its answer. PG&E denied that it violated any order or rule of the Commission or other provision of law and asked that the complaint be dismissed on the basis that the complaint does not state a claim upon which relief can be granted.

On May 13, 2002, I, the assigned Administrative Law Judge, issued a ruling scheduling a PHC for July 16, 2002, and ordering the parties to meet and confer in advance of the PHC to discuss scheduling and procedural issues. Due to a scheduling conflict of the complainants, the PHC was taken off-calendar and is now rescheduled for September 20, 2002, at 1:30 p.m., at the Department of Development Services, 1600 9th Street, Room 332, Sacramento, California 95814.

Meet and Confer

Pursuant to Rule 49 (May 13, 2002 ruling), I directed the parties to meet and confer¹ in advance of the PHC to discuss resolving the issues, and if no settlement was reached, to propose a schedule. PG&E was directed to prepare and file a joint case management statement (JCMS), or a proposed settlement agreement. The JCMS should be filed no later than September 13, 2002. The parties were also directed to discuss whether mediation or arbitration might be a preferable procedure for resolution of the complaint.

Once again the parties are advised that this is an adjudicatory case, which must be resolved within 12 months of initiation. (Pub. Util Code § 1701.2(d).)

¹ The parties may meet telephonically if it is more convenient for them than an in-person meeting.

Therefore, the parties are urged to propose a schedule that will allow for the case to be heard before the close of 2002.

Conference Call

If the parties have any interlocutory issues, for example scheduling problems or discovery disputes, that need resolution during the course of the proceeding, please call me at (415) 703-2971 or send e-mail to CAB@CPUC.ca.gov and I will schedule a conference call. In addition, if the parties want to pursue alternative dispute resolution methods such as arbitration or mediation, I will facilitate the process.

IT IS RULED that:

1. Parties shall meet and confer informally and shall file a joint case management statement, or proposed settlement agreement no later than the close of business on September 13, 2002.
2. A prehearing conference in this proceeding will be held on September 20, 2002, at 1:30 p.m., at the Department of Development Services, 1600 9th Street, Room 332, Sacramento, California 95814.
3. The protocols concerning electronic service established in my ruling dated May 13, 2002, shall be observed.

Dated July 26, 2002, at San Francisco, California.

/s/ CAROL A. BROWN
Carol A. Brown
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Rescheduling Prehearing Conference for September 20, 2002 in Sacramento, California on all parties of record in this proceeding or their attorneys of record.

Dated July 26, 2002, at San Francisco, California.

/s/ ERLINDA PULMANO
Erlinda Pulmano

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.

